

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

IN RE:)
)
A&R CHAVIRA, LLC,) Case No. 23-30067-HCM
) Chapter 11
Debtor.)

**ORDER ON FIRST AMENDED MOTION FOR AUTHORIZATION TO MAINTAIN AND
USE PREPETITION BANK ACCOUNT AT FIRSTLIGHT OF EL PASO DEL NORTE**

Came on this day to be considered the First Amended Motion for Authorization to Maintain and Use Prepetition Bank Account at First Light of El Paso Del Norte ("First Light") (the "Motion") filed First Light Federal Credit Union ("First Light"), as Debtor-in-Possession in this Chapter 11 proceeding. After consideration of the pleadings and the arguments of Counsel, this Court is of the opinion that the relief requested in the Motion should be granted.

IT IS THEREFORE, ORDERED, ADJUDGED and DECREED that A&R may maintain and use the following existing bank account at First Light:

a). **Account Ending XXXXX (0008)** which is used as an Operating Account for daily operations and receipt of all payments from its customers, as well as electronic payments to lenders.

(the “Account”).

IT IS FURTHER ORDERED, ADJUDGED and DECREED that unless A&R voluntarily closes an Account(s), or until such further order from this Court, First Light will allow the Account to remain open subject to the conditions below.

IT IS FURTHER ORDERED, ADJUDGED, and DECREED that A&R is authorized to continue using its existing negotiable instruments, including pre-printed checks, until the supply of existing instruments is exhausted; but A&R shall -

- clearly imprint on each negotiable instrument the Case Name and Number **“In re A&R Chavira LLC Case No. 23-30067”** and “Debtor-in-Possession”;
- with respect to pre-printed checks, any new check stock ordered by A&R shall contain the “Debtor-in-Possession” reference and the Case Number;
- with respect to checks that A&R prints in-house, it shall begin printing those checks with a “Debtor-in-Possession” designation and Case Number within three (3) business days of the date this Order is entered.

IT IS FURTHER ORDER, ADJUDGED AND DECREED that A&R shall close all prepetition Account that remain open, if any, other than the Account described in the Motion and herein.

IT IS FURTHER ORDER, ADJUDGED AND DECREED that A&R will provide to the Office of the United States Trustee (the “UST”) the location and account number of any additional Debtor-in-Possession account(s) subsequently opened by it.

IT IS FURTHER ORDER, ADJUDGED AND DECREED that A&R will provide the UST with sufficient evidence to show that all Account have been properly styled as "Debtor-in-Possession" Account.

IT IS FURTHER ORDER, ADJUDGED AND DECREED that within three (3) days from entry of this Order, A&R shall cause a copy of this Order to be served on First Light and counsel to any creditors' committee appointed in A&R's Chapter 11 case, if any.

IT IS FURTHER ORDER, ADJUDGED AND DECREED that at no time shall A&R maintain balances with Firstlight greater than the federally insured limit, unless First Light becomes an authorized depository with the UST, Region 7, Western District of Texas.

IT IS FURTHER ORDER, ADJUDGED and DECREED that all institutions maintaining an account which constitute authorized depositories shall comply with the collateralization and reporting requirements of the UST for such authorized depository.

IT IS FURTHER ORDER, ADJUDGED and DECREED that A&R shall attach a copy of the monthly bank statements for its bank Account at First Light to its Monthly Operating Reports.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that nothing contained herein shall prevent A&R from opening or closing Account as it may deem necessary and appropriate, upon further Motion and by Court Order.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that on or before March 31, 2023, A&R shall provide to the UST a reconciliation for the Account ending **XXXXX(0008)**, as of Petition Date, including copies of bank statements and lists of outstanding checks with dates, payees and amounts;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that nothing on this Order shall preclude the Debtor or any other party in interest seeking modification of this Order upon motion to this court.

Submitted by:

**Carlos A. Miranda, Esq.
Carlos G. Maldonado, Esq.
Miranda & Maldonado, P.C.
5915 Silver Springs, Bldg. 7
El Paso, Texas 79912
(915) 587-5000 (Telephone)
(866) 201-0967 (Facsimile)
cmiranda@eptxlawyers.com
cmaldonado@eptxlawyers.com**
Counsel for Debtor